

2015-1045

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

ACCO BRANDS CORPORATION,
Appellant,

v.

FELLOWES, INC,
Appellee.

Appeal from the United States Patent and
Trademark Office Patent Trial and Appeal Board

**[UNOPPOSED] MOTION FOR APPELLANT
ACCO BRANDS CORPORATION TO EXTEND TIME**

Pursuant to Federal Rule of Appellate Procedure 26(b) and Federal Circuit Rule 26(b), Appellant ACCO Brands Corporation (“ACCO”) respectfully requests an extension of time to file its principal brief. That brief is currently due on December 15, 2014. ACCO seeks a 45-day extension to and including January 29, 2015. Counsel for ACCO has notified counsel for Appellee of its intent to seek and extension, and counsel has indicated that Appellee does not oppose this request. ACCO has not previously moved for an extension in this appeal.

ACCO has good cause to request this extension. Counsel for ACCO need additional time to prepare its brief in light of counsel's other, previously engaged matters and planned absences through January 29, 2015. *See*, Decl. of Steven R. Trybus, attached as Exhibit A pursuant to Federal Circuit Rule 26(b)(5).

For the foregoing reasons, Appellant ACCO respectfully requests a 45-day extension to and including January 29, 2015, to file its opening brief.

Dated: November 12, 2014

Respectfully submitted,

/s/ Steven R. Trybus

Steven R. Trybus

Principal Counsel

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Exhibit A

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**DECLARATION OF STEVEN R. TRYBUS IN SUPPORT OF
[UNOPPOSED] MOTION FOR APPELLANT
ACCO BRANDS CORPORATION TO EXTEND TIME**

1. I, Steven R. Trybus, am a partner at the law firm of Jenner & Block, LLP, 353 N. Clark Street, Chicago, IL 60654. I am a member of the bar of this Court, and principal counsel for Appellant ACCO Brands Corporation (“ACCO”) in this matter.

2. I have primary responsibility for the preparation of ACCO’s opening brief in this matter, and I also have commitments in other, previously engaged matters and planned absences prior to the current due date.

3. I am aware that other counsel for ACCO in this matter have commitments in other, previously engaged matters and planned absences prior to the current due date.

4. Counsel for ACCO notified counsel for Appellee of its intent to seek an extension, and counsel indicated that Appellee does not oppose this request.

5. This is ACCO's first request for an extension, and no extensions have been previously granted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 12, 2014

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*Attorney for Appellant
ACCO Brands Corporation*

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

ACCO Brands Corporation v. Fellowes, Inc.

No. 2015-1045

CERTIFICATE OF INTEREST

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Federal Circuit Rules 47.4, Plaintiff/Appellant ACCO Brands Corporation makes the following disclosures:

1. **The full name of every party or amicus represented by me is:**

ACCO Brands Corporation

2. **The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:**

None

3. **All parent corporations and any publicly held companies that own 10 percent of more of the stock of the party or amicus curiae represented by me are:**

ACCO Brands Corporation is a publicly traded corporation. It does not have any other parent corporation and is not aware of any publicly held corporation that owns 10% or more of its stock.

4. **The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:**

Steven R. Trybus
Peter J. Brennan

Michael G. Babbitt
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MICHAEL BEST & FRIEDRICH LLP
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Milwaukee, Wisconsin 53202

Dated: October 27, 2014

ACCO BRANDS CORPORATION

By: /s/ Steven R. Trybus

One of Its Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing [UNOPPOSED] MOTION FOR APPELLANT ACCO BRANDS CORPORATION TO EXTEND TIME using the Court's CM/ECF filing system. Counsel registered with the CM/ECF system were served by operation of the Court's CM/ECF system per Fed. R. App. P. 25 and Fed. Cir. R. 25(c) on November 12, 2014.

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